THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITON NO. 4957 OF 2006

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DATED: 14-03-2006

BETWEEN:

Kothapalli S.C. Labour Contract

Cooperative Society Limited,

Rep. By its President … Petitioner

And

The Municipal Corporation,

Vijayawada, rep.by its Commissioner … Respondent

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ORDER:

Seeking to declare the action of the respondents in not paying the contract due amount of Rs.4,77,496/- to the petitioner society as illegal and arbitrary, petitioner filed this writ petition.

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent and perused the material on record.

It is the case of the petitioner that the petitioner society became the successful tenderor for construction of seven units of ILCS toilets and entered

into agreements bearing Nos.567 to 575 dated 07-11-2003 and thereby successfully completed the work by the end of February, 2004. It is stated that after completion of work, only part of the agreement amount has paid, but the final bills have not been settled. Therefore, the members of the petitioner made several representations on 29-07-2004, 18-11-2004 and 01-09-2005. But till date, no reason has been assigned by the respondent for not paying the final bill amounts.

I am not inclined to express any opinion on the merits of the case, with regard to the successful completion of the contract work by the petitioner society and whether the respondents have illegally withholding the payment of said amount. But, I am of the opinion that the petitioner is entitled to know the reason why the amounts have not been paid.

Having regard to the facts and circumstances of the case, the respondents are directed to consider and dispose of the representations of the petitioner dated 29-07-2004, 18-11-2004 and 01-09-2005 and pass a reasoned order within six weeks from the date of receipt of a copy of this order.

Accordingly, writ petition is disposed of. No costs.

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V. ESWARAIAH, J.

Dated: 14-03-2006

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